

**Meeting of the Central Valley Flood Protection Board  
February 26, 2009**

**Draft Staff Report  
Floodway Protection Section**

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Item

Consider approval of Permit No. 18411 (Attachment A) to construct a pump station and install an underground pipeline on the left (south) bank of the Tuolumne River Designated Floodway.

Applicant

Turlock Irrigation District

Location

The project is located approximately 15 miles east of Modesto, immediately downstream of the Geer Road Bridge. (Tuolumne River, Stanislaus County see Attachment B).

Description

To construct a 63- by 153-foot pump station and install a 60-inch-diameter underground pipeline on the left (south) bank of the Tuolumne River Designated Floodway. The proposed pump station would pump diverted water from the Tuolumne River to the pipeline that would convey water to Turlock Irrigation District's Ceres Main Canal. The pump station would consist of up to six electric pumps totaling 2,400 horsepower. The initial 1,280 feet of the pipeline would be constructed within the Board's designated floodway.

Agency Comments and Endorsements:

- The U. S. Army Corps of Engineers has sent a letter stating that the District Engineer has no comments or recommendations regarding flood control because this proposed work does not affect a federally constructed project (Permit Exhibit A).
- There is no Levee Maintaining Agency for this reach of the Tuolumne River so there is no corresponding endorsement.

CEQA Findings:

Board staff has prepared the following CEQA findings:

Turlock Irrigation District, as Lead Agency, has prepared an Initial Study and Mitigated Negative Declaration (SCH 2001022029, March 2001) for their Infiltration Gallery Project in SRP 9. Board staff is awaiting receipt of these environmental documents from the District's environmental consultant, and anticipates document receipt in time to complete the findings with sufficient time for review by Board members prior to the February 26, 2009 board meeting

Section 8610.5 Compliance

1. Evidence that the Board admits into its record from any party, State or local public agency, or nongovernmental organization with expertise in flood or flood plain management:

The Board will make its decision based on the evidence in the permit application and attachments, this staff report, and any other evidence presented by any individual or group.

2. The best available science that related to the scientific issues presented by the executive officer, legal counsel, the Department or other parties that raise credible scientific issues.

The accepted industry standards for the work proposed under this permit as regulated by Title 23 have been applied to the review of this permit.

3. Effects of the decision on the entire State Plan of Flood Control:

This project has no effects on the State Plan of Flood Control. A hydraulic analysis was conducted to model the 100-year flood event for the project reach to evaluate the hydraulic impact of the project and to determine finish floor elevations for the proposed pump station. The model results showed no project-related increases at the 100-year water surface elevation and were used to design the finish floor elevation at 1.2 feet above the 100-year elevation.

4. Effects of reasonable projected future events, including, but not limited to, changes in hydrology, climate, and development within the applicable watershed:

None

Staff Recommendation

Upon completion of CEQA findings staff anticipates being able to recommend that the Board adopt the CEQA findings, approve the permit, and direct staff to file a Notice of Determination with the State Clearinghouse.

List of Attachments

- A. Permit
- B. Location maps and photos

**DRAFT**

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
**CENTRAL VALLEY FLOOD PROTECTION BOARD**

**PERMIT NO. 18411 BD****This Permit is issued to:**

Turlock Irrigation District  
PO Box 949  
Turlock, California 95381

To construct a 63- by 153-foot pump station and install a 60-inch-diameter underground pipeline on the left (south) bank of the Tuolumne River Designated Floodway. The project is located approximately 15 miles east of Modesto, immediately downstream of the Geer Road Bridge (Section 2, T4S, R10E, MDB&M, Tuolumne River, Stanislaus County).

**NOTE:** Special Conditions have been incorporated herein which may place limitations on and/or require modification of your proposed project described above.

**(SEAL)**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Executive Officer**GENERAL CONDITIONS:**

**ONE:** This permit is issued under the provisions of Sections 8700 – 8723 of the Water Code.

**TWO:** Only work described in the subject application is authorized hereby.

**THREE:** This permit does not grant a right to use or construct works on land owned by the Sacramento and San Joaquin Drainage District or on any other land.

**FOUR:** The approved work shall be accomplished under the direction and supervision of the State Department of Water Resources, and the permittee shall conform to all requirements of the Department and the Central Valley Flood Protection Board.

**FIVE:** Unless the work herein contemplated shall have been commenced within one year after issuance of this permit, the Board reserves the right to change any conditions in this permit as may be consistent with current flood control standards and policies of the Central Valley Flood Protection Board.

**SIX:** This permit shall remain in effect until revoked. In the event any conditions in this permit are not complied with, it may be revoked on 15 day's notice.

**SEVEN:** It is understood and agreed to by the permittee that the start of any work under this permit shall constitute an acceptance of the conditions in this permit and an agreement to perform work in accordance therewith.

**EIGHT:** This permit does not establish any precedent with respect to any other application received by the Central Valley Flood Protection Board.

**NINE:** The permittee shall, when required by law, secure the written order or consent from all other public agencies having jurisdiction.

**TEN:** The permittee is responsible for all personal liability and property damage which may arise out of failure on the permittee's part to perform the obligations under this permit. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents or employees thereof, the permittee shall defend and shall hold each of them harmless from each claim.

**ELEVEN:** The permittee shall exercise reasonable care to operate and maintain any work authorized herein to preclude injury to or damage to any works necessary to any plan of flood control adopted by the Board or the Legislature, or interfere with the successful execution, functioning or operation of any plan of flood control adopted by the Board or the Legislature.

**TWELVE:** Should any of the work not conform to the conditions of this permit, the permittee, upon order of the Central Valley Flood Protection Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein approved.

#### **SPECIAL CONDITIONS FOR PERMIT NO. 18411 BD**

**THIRTEEN:** All work approved by this permit shall be in accordance with the submitted drawings and specifications except as modified by special permit conditions herein. No further work, other than that approved by this permit, shall be done in the area without prior approval of the Central Valley Flood Protection Board.

**FOURTEEN:** The Central Valley Flood Protection Board and Department of Water Resources shall not be held liable for any damages to the permitted encroachment(s) within the Tuolumne River Designated Floodway resulting from flood fight, operation, maintenance, inspection, or emergency repair.

**FIFTEEN:** The permittee is responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend and hold harmless the State of California, or any departments thereof, from any liability or claims of liability associated therewith.

**SIXTEEN:** The permittee should contact the U.S. Army Corps of Engineers, Sacramento District, Regulatory Branch, 1325 J Street, Sacramento, California 95814, telephone (916) 557-5250, as compliance with Section 10 of the Rivers and Harbors Act and/or Section 404 of the Clean Water Act may be required.

**SEVENTEEN:** The permittee shall contact the Department of Water Resources by telephone, (916) 574-1213, and submit the enclosed postcard to schedule a preconstruction conference. Failure to do so at least 10 working days prior to start of work may result in delay of the project.

**EIGHTEEN:** No construction work of any kind shall be done during the flood season from November 1 to July 15 without prior approval of the Central Valley Flood Protection Board.

NINETEEN: Cleared trees and brush shall be completely burned or removed from the Tuolumne River Designated Floodway, and downed trees or brush shall not remain in the designated floodway during the flood season from November 1 to July 15.

TWENTY: Stockpiled material, temporary buildings, or equipment shall not remain in the floodway during the flood season from November 1 to July 15.

TWENTY-ONE: Backfill material for excavations shall be placed in 4- to 6-inch layers and compacted to at least the density of the adjacent, firm, undisturbed material.

TWENTY-TWO: The proposed building shall be properly anchored to prevent floatation into the floodway in the event of high water.

TWENTY-THREE: The underground pipeline within the overflow area shall be buried with a minimum of 2 feet of cover.

TWENTY-FOUR: Aggregate base material shall be compacted to a relative compaction of not less than 95 percent per ASTM Method D1557-91, with a moisture content sufficient to obtain the required compaction.

TWENTY-FIVE: All debris generated by this project shall be disposed of outside the Tuolumne River Designated Floodway.

TWENTY-SIX: The Tuolumne River Designated Floodway shall be restored to at least the condition that existed prior to commencement of work.

TWENTY-SEVEN: Debris that may accumulate on the permitted encroachment(s) and related facilities shall be cleared off and disposed of outside the floodway after each period of high water.

TWENTY-EIGHT: The permittee shall maintain the permitted encroachment(s) within the utilized area in the manner required and as requested by the authorized representative of the Department of Water Resources or any other agency responsible for maintenance.

TWENTY-NINE: If the pump house and associated structures result(s) in an adverse hydraulic impact, the permittee shall provide appropriate mitigation measures, to be approved by the Central Valley Flood Protection Board, prior to implementation of mitigation measures.

THIRTY: The permitted encroachment(s) shall not interfere with operation and maintenance of the flood control project. If the permitted encroachment(s) are determined by any agency responsible for operation or maintenance of the flood control project to interfere, the permittee shall be required, at permittee's cost and expense, to modify or remove the permitted encroachment(s) under direction of the Central Valley Flood Protection Board or Department of Water Resources. If the permittee does not comply, the Central Valley Flood Protection Board may modify or remove the encroachment(s) at the permittee's expense.

THIRTY-ONE: The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if removal, alteration,

relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove the encroachment(s) at the permittee's expense.

THIRTY-TWO: If the project, or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project under direction of the Central Valley Flood Protection Board and Department of Water Resources, at the permittee's or successor's cost and expense.

THIRTY-THREE: The letter from the Department of the Army dated January 22, 2009, attached to this permit as Exhibit A is in reference to this project.



DEPARTMENT OF THE ARMY  
U.S. Army Engineer District, Sacramento  
Corps of Engineers  
1325 J Street  
Sacramento, California 95814-2922

REPLY TO  
ATTENTION OF

Flood Protection and Navigation Section (18411)

Mr. Jay Punia, Executive Officer  
Central Valley Flood Protection Board  
3310 El Camino Avenue, Room LL40  
Sacramento, California 95821

JAN 22 2009

Dear Mr. Punia:

We have reviewed a permit application by Turlock Irrigation District (application number 18411). These plans include constructing a 63- by 153-foot pump station and installing a 60-inch diameter underground pipeline on the left (south) bank designated floodway of the Tuolumne River. The project is located approximately 15 miles east of Modesto, immediately downstream of the Geer Road Bridge, at 37.6173°N 120.8461°W NAD83, Stanislaus County, California.

The District Engineer has no comments or recommendations regarding flood control because this proposed work does not affect a federally constructed project.

A file (200801358) has been opened because a Section 10 and/or Section 404 permit may be required. Please advise the applicant to contact the U.S. Army Corps of Engineers, Sacramento District, Regulatory Division, 1325 J Street, Sacramento, California 95814, telephone (916) 557-5250.

If you have any questions concerning our comments on this permit application, please contact Ms. Meegan Nagy at (916) 557-7257 or Mr. Robert Murakami at (916) 557-6738.

Sincerely,

A handwritten signature in cursive script, reading "Meegan G. Nagy", is written over a horizontal line.

Meegan G. Nagy, P.E.  
Chief, Flood Protection and Navigation Section

Copy Furnished:

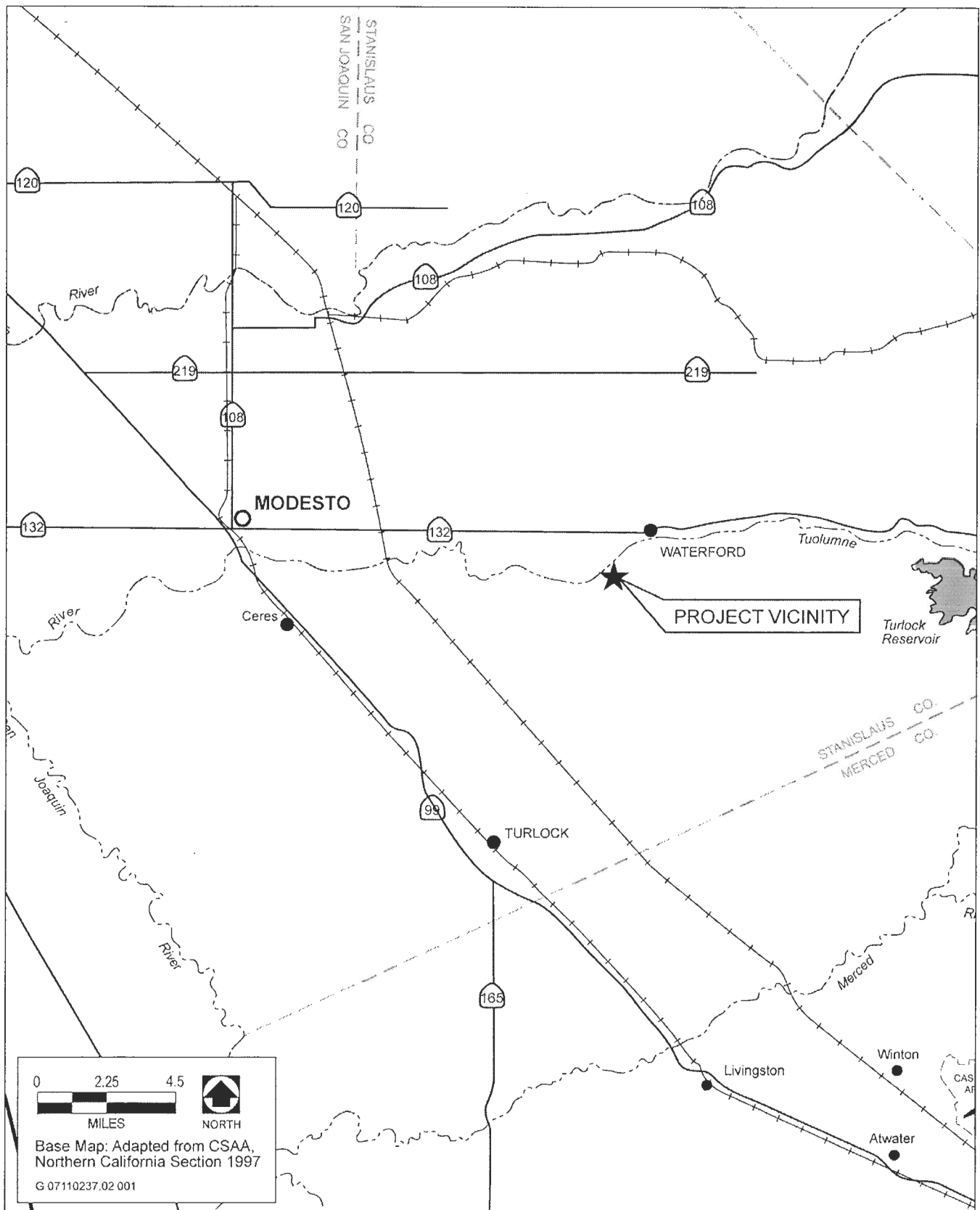
Mr. Jeremy Arrich, Chief, Flood Project Integrity and Inspection Branch,  
3310 El Camino Avenue, Suite LL30, Sacramento, CA 95821



Flood Protection and Navigation Section (18411)

MURAKAMI 

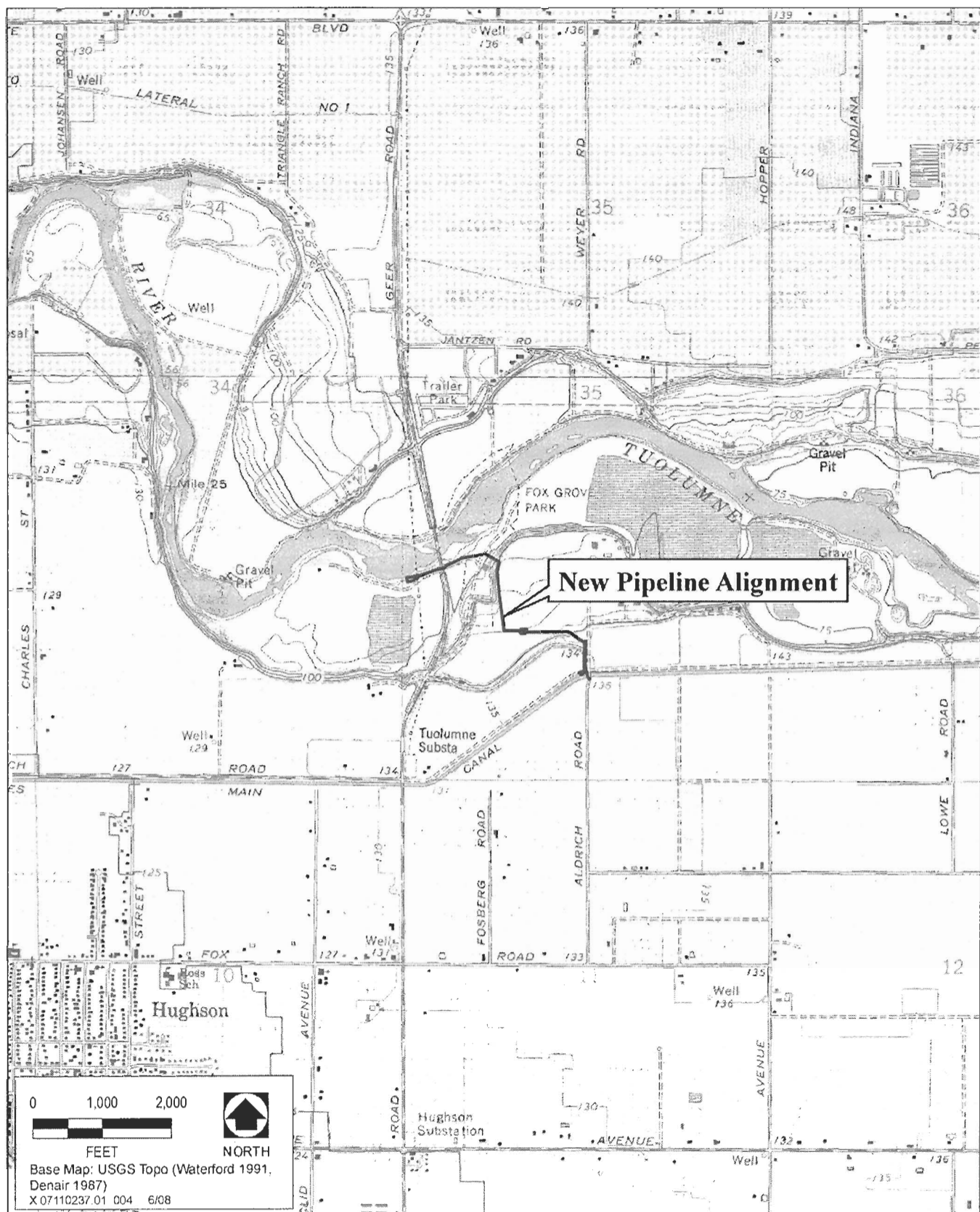
NAGY



Source: Adapted by EDAW 2008

Vicinity Map

Exhibit 1



Source: Adapted by EDAW 2008



View facing west from east edge of Fox Grove County Park towards pump station and pipeline alignments. (EDAW 2008)



View facing west from west edge of Fox Grove County Park towards pipeline alignment. (EDAW 2008)



View facing east from pipeline alignment towards Fox Grove County Park Parking lot.  
(EDAW 2008)



View facing east from pipeline alignment at pump station towards Geer Road Bridge.  
(EDAW 2008)





View facing west towards proposed western end of pump station.  
(EDAW 2008)



View facing west towards proposed eastern end of pump station.  
(EDAW 2008)